



Office of the Attorney General

Douglas B. Moylan

Attorney General of Guam

Civil Division

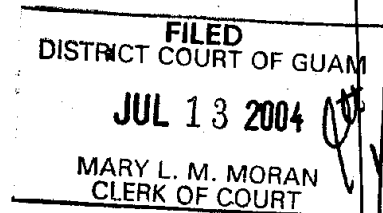
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Attorneys for the Government of Guam

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF GUAM

THE GOVERNMENT OF GUAM, by and  
through the ATTORNEY GENERAL OF  
GUAM,

Plaintiff,

vs.

FELIX P. CAMACHO, in his official capacity  
as Governor of Guam,

Defendant.

Civil Case No. CV04- **04-00035**

**EX PARTE APPLICATION FOR  
ISSUANCE OF ORDER TO SHOW  
CAUSE AND TEMPORARY  
RESTRAINING ORDER AND MOTION  
FOR PRELIMINARY INJUNCTIVE  
RELIEF**

Pursuant to Fed.R.Civ.P. Rule 65, and 28 U.S.C. § 1651, plaintiff Government of Guam respectfully moves the Court *ex parte* for an order to show cause and temporary restraining order, and for an order setting date for a hearing on plaintiff's Motion for Preliminary Injunctive Relief as follows:

1. an immediate order to defendant Governor, Felix P. Camacho, his successors, agents, employees, and all persons acting in concert with them **RESTRAINING AND ENJOINING** them from exercising or attempting to exercise any of the powers and duties of the Office of Attorney General by,

ORIGINAL

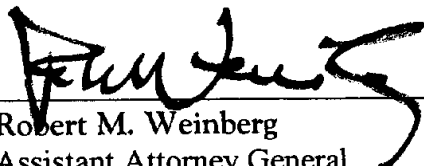
1 *inter alia*, exercising any authority with respect to the investigation and/or  
2 prosecution of suspected crimes or criminal activity within the Territory of  
3 Guam, said authority being entirely within the powers and duties exclusively  
4 reserved to the Attorney General as Chief Legal Officer; or by exercising,  
5 appointing or attempting to appoint to the office, or otherwise perform the  
6 functions and duties of a "special prosecutor," however denominated, to  
7 investigate and prosecute allegations of criminal wrongdoing within the  
8 Territory of Guam;

- 9  
10 2. an order setting date for a hearing on plaintiff's motion for preliminary  
11 injunction to enjoin defendant Governor, Felix P. Camacho, his successors,  
12 agents, employees, and all persons acting in concert with him from exercising or  
13 attempting to exercise any of the powers and duties of the Office of Attorney  
14 General by, *inter alia*, appointing or attempting to appoint a "special prosecutor,"  
15 however denominated, to investigate and prosecute allegations of criminal  
16 wrongdoing within the Territory of Guam.

17 This motion is based upon the complaint and pleadings filed to-date, the Attorney's  
18 Rule 65(b)(2) Certification which follows, and the "Memorandum in Support of Motion for  
19 Preliminary Injunctive Relief" filed contemporaneously herewith.


20 Respectfully submitted this 13<sup>th</sup> day of July, 2004.

21  
22 OFFICE OF THE ATTORNEY GENERAL  
DOUGLAS B. MOYLAN, Attorney General of Guam

23   
24 Robert M. Weinberg  
25 Assistant Attorney General

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- (1) directing that a copy of this motion, the complaint, and memorandum in support of motion for preliminary injunction be hand-delivered and/or faxed to defendant's attorney, Shannon Taitano; and
- (2) telephoning defendant's attorney, Shannon Taitano, and notifying her of the time and place the undersigned would be seeking judicial relief as requested herein.

  
Robert M. Weinberg  
Assistant Attorney General